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916-322-6440 fax

Mr Brian G. Lau
FPPC

Dear Mr. Lau:

I saw your memo of Aug. 21, 2008 on Proposed Regulation 18420.1 – Expenditures by Governmental Agencies for Communications Related to a Ballot Measure.

We have the problem in Oakland, where the City campaigned twice, in 2006 and this year, for an increase in a citywide Landscape and Lighting District tax. (See www.orpn.org/LLAD1.htm for details.) Both times the City spent funds designing and printing what amounted to a campaign brochure, arranging for 95,000 copies to be inserted with residents' garbage collection bills. The City also spent funds on a political pollster/consultant to have him design a winning strategy, not just sample voter sentiment.

It seems that a real solution lies in requiring governments to pair pro and con communications. Whether or not they are limited to "information," the key thing is to give voters material prepared by the City and also by council members in a minority on the issue or by members of the public. If there are several opposition groups, one could be selected by requiring a fee to submit a statement that is material but not exclusionary (say, \$100) and then choosing one statement by lot.

If this kind of requirement would require legislation, not just regulation, I hope you will offer specific suggestions to the Commission and the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Pine". The signature is fluid and cursive, with a large, sweeping "P" at the end.

Charles Pine
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